

**REMARKS**

Claims 1 – 9 and 20 – 25 have been examined. Claims 1 – 4, 6 – 9, and 20 – 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pub. No. 2003/0061093 (“Todd”), in view of U.S. Pat. No. 6,070,153 (“Simpson”), further in view of U.S. Pub. No. 2003/0015589 (“Jimenez”); and claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Todd, in view of Simpson, in view of Jimenez, further in view of Centura (<http://web.archive.org/web/19980211083417/www.centura.com/cashcards/travelsmart.html>).

The rejections are respectfully traversed. Claims 1 and 20 recite that “the instrument includes a single identifier such that a merchant is able to **access funds from both the credit account and the stored-value account with the single identifier**” (emphasis added). In other words, there are at least two accounts, and the single identifier can be used to access funds from the at least two accounts. The Office Action states that neither Todd nor Simpson explicitly teaches this limitation. Office Action, p. 4. But Jimenez also fails to teach or suggest this limitation.

While Jimenez does disclose either a combination of a debt card plus a telephone card, or a combination of a credit card plus a telephone card, the telephone card is not associated with another account in order for there to be two accounts. Rather, Jimenez illustrates single account transactions (Jimenez, paragraph [0026], ll. 2 – 3) as there is only one bank account. More specifically, the processing hub 22 would prompt the cardholder for the account number (Jimenez, paragraph [0035]), and the processing hub 22 would then access the sponsor bank 26 (Jimenez, paragraph [0042]). But the sponsor bank 26 appears to be where the single bank account is being held (Jimenez, paragraphs [0042] and [0044]) and there is not another account associated with the telephone card. Hence, while Jimenez does disclose a single identifier, the single identifier can only be used to access funds from a single account and *not* at least two accounts.

For at least these reasons, independent Claims 1 and 20 are believed to be patentable over the references. Each of the dependent claims is additionally believed to be patentable by virtue of its dependence from a patentable claim.

### CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

/Patrick M. Boucher/

Patrick M. Boucher  
Reg. No. 44,037

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 303-571-4000  
Fax: 415-576-0300  
PMB/nlm

61415934 v1